

MINUTES OF CITY COUNCIL MEETING
OF THE CITY OF BUENA PARK
HELD SEPTEMBER 24, 2019

Vol. 51 Pg. 9

CALL TO ORDER

The City Council met in a regular session on Tuesday, September 24, 2019, at 5:02 p.m. in the City Council Chamber of the Civic Center, 6650 Beach Boulevard, Buena Park, California, Mayor Brown presiding.

ROLL CALL

PRESENT: Park, Smith, Swift, Traut, Brown
ABSENT: None

Also present were: Jim Vanderpool, City Manager; Chris Cardinale, City Attorney; and Adria M. Jimenez, MMC, City Clerk.

INVOCATION

The invocation was led by Pastor George Starks, Sonrise Community Christian Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Corey Sianez, Chief of Police.

CITY MANAGER REPORT

City Manager Vanderpool reported on the following:

- Coffee with a Cop, Saturday, October 5, 2019, 8:30 – 10:30 a.m. Starbucks, 7611 Beach Blvd.
- Memorial Grove Ceremony and Tree Planting Event, Saturday, September 21, 2019, 10:00 – 11:30 a.m. Boisseranc Park, 7520 Dale Street.
- Newly installed Art Exhibit by L.A. based artist, Vakseen, displayed in the Council Chamber through October 31, 2019.

Officer Pantoja announced the Pink Patch Project in support of Breast Cancer Awareness. Patches can be purchased for \$10.00 at the Police Department. All proceeds will go to St. Jude Breast Cancer Research Center in Fullerton.

PRESENTATIONS

Mary Sutherland, Soroptimist International of Buena Park, extended an invitation to the Denim and Diamonds Ball, Saturday October 5, 2019, 6:00 – 8:00 p.m., Knott's Berry Farm Hotel.

Lauren Morales, Community Services Coordinator invited the community to the Boo-vena Park Olde Tyme Fall Festival, Saturday, September 28, 2019, 12:00 – 5:00 p.m., Buena Park Historical Society. Free festival with tours and crafts, costume parade, music, dance and entertainment.

ORAL COMMUNICATIONS

Mayor Brown announced the public may at this time address the members of the City Council on any matters within the jurisdiction of the City Council.

Sean Kim, Gracias Music Foundation, extended an invitation to the Christmas Cantata at Long Beach Terrace Theatre, Sunday September 29, 2019, 3:00 p.m. and 7:00 p.m.

There being no additional requests to speak, Mayor Brown closed oral communications.

CONSENT CALENDAR (1 - 9)

Mayor Brown announced that Consent Calendar Items 1 through 9 would be acted upon by one motion affirming the actions as recommended on the agenda and agenda bills submitted and inquired if anyone present desired to have any item removed for separate consideration. There being no requests for separate consideration, the following action was taken:

MOTION: Traut
SECOND: Smith
AYES: Traut, Smith, Park, Swift, Brown
NOES: None

MOTION CARRIED that all actions recommended on Consent Calendar Items 1 through 9 be approved.

Minutes

1. APPROVAL OF MINUTES

Recommended Action: 1) Approve Minutes of the Regular City Council Meeting of August 27, 2019; and the Special City Council Meeting of September 10, 2019.

APPROVED the recommended action.

Finance 75

2. RESOLUTIONS APPROVING CLAIMS AND DEMANDS

Recommended Action: Adopt resolutions.

ADOPTED the following titled resolutions:

RESOLUTION NO. 14022

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$5,109,896.83 DEMAND NOS. 398870 THROUGH 399059 CANCELLED NOS. 398216 AND 398626 VOIDS

RESOLUTION NO. 14023

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$9,558.62 DEMAND NOS. 399060 THROUGH 399064

RESOLUTION NO. 14024

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$ 800,175.54 COVERING REGULAR PAYROLL ENDING SEPTEMBER 6, 2019

Reports & Studies 129

3. TREASURER'S REPORT FOR THE MONTH OF AUGUST 2019

Purpose: Review the Treasurer's Investment Report prepared by the Finance Department for the month of August 2019. There is no fiscal impact in receiving this report.

Recommended Action: Receive and file.

APPROVED the recommended action.

Boards & Commissions 42

4. RESOLUTION APPROVING APPOINTMENTS OF COMMITTEE MEMBERS TO THE COMMUNITY DEVELOPMENT BLOCK GRANT CITIZENS ADVISORY COMMITTEE (CAC), COMMISSION MEMBERS TO THE PARK & RECREATION COMMISSION, AND COMMISSION MEMBERS TO THE TRAFFIC AND TRANSPORTATION COMMISSION

Purpose: Accept the appointments of commissioners and committee members to the Community Development Block Grant Citizens Advisory Committee, Park and Recreation Commission, and the Traffic and Transportation Commission. There is no budget impact with the approval of this item.

Recommended Action: Adopt a resolution: 1) Confirming the appointment of Mark Eades to the Community Development Block Grant Citizens Advisory Committee, District 3 for a term that will expire September 24, 2022; 2) Confirming the appointment of Mirvette Judeh to the Community Development Block Grant Citizens Advisory Committee, District 1 for a term that will expire September 24, 2022; 3) Confirming the reappointment of Huong Nguyen to the Community Development Block Grant Citizens Advisory Committee, District 1 (At-Large) for a term that will expire April 12, 2022; 4) Confirming the reappointment of Eddie Cowan to the Community Development Block Grant Citizens Advisory Committee, District 2 for a term that will expire August 10, 2022; 5) Confirming the appointment of Lamiya Hoque to the Park and Recreation Commission, District 3 representing District 5, for a term that will expire September 24, 2022; and 6) Confirming the appointment of Kathleen Anderson to the Traffic and Transportation Commission, District 1 for a term that will expire September 24, 2022.

APPROVED the recommended action and ADOPT the following titled resolution:

RESOLUTION NO. 14025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK APPROVING THE APPOINTMENT OF MARK EADES, DISTRICT 3, MIRVETTE JUDEH, DISTRICT 1, HUONG NGUYEN, DISTRICT 1, AND EDDIE COWAN, DISTRICT 2 TO THE COMMUNITY DEVELOPMENT BLOCK GRANT CITIZENS ADVISORY COMMITTEE; LAMIYA HOQUE, DISTRICT 3 TO THE PARK AND RECREATION COMMISSION; KATHLEEN ANDERSON, DISTRICT 1 TO THE TRAFFIC AND TRANSPORTATION COMMISSION

Contracts 70 C-3103 C-3104 Public Works Proj. 125 PW-872

5. CHANGE ORDER TO THE CONTRACT WITH ABBOTT CONSTRUCTION, INC. FOR THE BUENA PARK NAVIGATION CENTER PROJECT

Purpose: Authorize the Public Works Department to issue a change order for additional soil remediation work for the Buena Park Navigation Center Project. Associated costs in the amount of \$45,880.03 will be expensed from the approved project construction contingency. This project is funded by the Homeless Emergency Aid Program (HEAP) grant.

Recommended Action: 1) Approve a Change Order to the Contract with Abbott Construction, Inc. in the amount of \$45,880.03 for additional soil remediation work for the Buena Park Navigation Center Project; and 2) Authorize the Director of Public Works to execute the change order.

APPROVED the recommended action.

Budgets 47 Contracts 70 C-1076

6. AGREEMENT WITH THE BUENA PARK NOON LIONS CLUB FOR USE OF CITY FACILITIES AT WILLIAM PEAK PARK FOR THE 2019 SILVERADO DAYS CELEBRATION

Purpose: Authorize the Community Services Department to execute an agreement for the Buena Park Noon Lions' use of William Peak Park for the 2019 Silverado Days Celebration. Associated costs in the amount of \$108,310 were previously allocated in the current Community Support Services budget for this purpose. Additional General Fund monies in the amount of \$25,000 will be required for enhanced security measures.

Recommended Action: 1) Approve an agreement with the Buena Park Noon Lions Club for use of William Peak Park for the 2019 Silverado Days Celebration; 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; 3) Authorize the Mayor and City Clerk to execute the agreement; and 4)

Authorize a budget amendment from the undesignated General Fund balance in the amount of \$25,000 for additional security for the event.

APPROVED the recommended action.

Budgets 47 Contracts 70 C-3148

7. CUSTOMER AGREEMENT WITH TRAKSTAR FOR EMPLOYEE ASSESSMENT SOFTWARE

Purpose: Authorize the purchase of employee assessment services software to upgrade employee evaluation systems for all City personnel. Associated costs in the amount of \$18,771 are proposed to be funded with Asset Forfeiture monies.

Recommended Action: 1) Approve a professional services agreement with Trackstar for the provision of customizable employee assessment services software; 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; 3) Authorize the City Manager and City Clerk to execute the agreement; 4) Dispense with competitive bidding pursuant to Buena Park Municipal Code 3.28.080(c) because this specific item can only be obtained from a sole-source vendor; and 5) Approve a budget amendment in the amount of \$18,771 from the Police Department Asset Forfeiture Fund for the initial purchase.

APPROVED the recommended action.

Census 51

8. RESOLUTION SUPPORTING THE 2020 CENSUS COMMUNITY COUNT

Purpose: Adopt a resolution supporting the 2020 Census Community Count. There is no budget impact associated with this request.

Recommended Action: 1) Adopt a resolution in support of the 2020 Census Community Count.

ADOPTED the following titled resolution:

RESOLUTION NO. 14026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, SUPPORTING THE 2020 CENSUS PARTNERSHIP

Purchasing 127

9. REPLACEMENT PURCHASE OF ONE 2020 FORD F-350 DUMP TRUCK AND ONE 2019 SEALMASTER CRACKPRO E2747HH-TR-125DA TRAILER-MOUNTED CRACKSEAL MACHINE, AND UPFITTING OF THREE DODGE CHARGER PURSUIT SEDANS AND ONE FORD INTERCEPTOR UTILITY SUV PREVIOUSLY AUTHORIZED FOR PURCHASE ON JULY 9, 2019

Purpose: Authorize the Public Works Department to purchase budgeted vehicles and equipment, and upfit four Police vehicles previously authorized for purchase on July 9, 2019. Associated costs in the amount of \$176,500.38 are included in the previously adopted budget for both the General Fund and Gas Tax Fund.

Recommended Action: 1) Authorize the purchase of one 2020 Ford F-350 Dump Truck from National Auto Fleet Group in the amount of \$49,822.65, and one 2019 SealMaster Crackpro E2747HH-TR-125DA Trailer-Mounted Crackseal Machine from SoCal SealCoat Solutions, LLC, in the amount of \$72,000.05; 2) Authorize upfitting of three Dodge Charger Police Pursuit Sedans by Innovative Emergency Equipment in the total amount of \$38,506.12, and one Ford Interceptor Utility SUV in the amount of \$16,171.56; and 3) Determine that dispensing with competitive bidding pursuant to Municipal Code Section 3.28.080(E) is in the best interest of the City because it will result in the lowest purchase price for the Ford Dump Truck.

APPROVED the recommended action.

END OF CONSENT CALENDAR

NEW BUSINESS (10 - 13)

Item pulled – no action taken

10. RESOLUTION ADDING HIGHLAND AVENUE AND SCALES WAY INTO PREFERENTIAL PARKING DISTRICT (PPD) NO. 4
Presented by Norm Wray, Senior Engineering Technician

Purpose: Authorize the Public Works Department to issue parking permits to residents in the amended PPD No. 4 boundaries, which would include Highland Avenue and Scales Way. Associated costs in the amount of \$3,500 would be funded by the existing signs and striping budget.

Recommended Action: 1) Adopt a resolution rescinding Resolution No. 13849 and re-establishing the Preferential Parking District (PPD) boundaries to include Highland Avenue and Scales Way for PPD No. 4.

Parking 109

11. RESOLUTION CREATING PREFERENTIAL PARKING DISTRICT (PPD) NO. 9 ON A PORTION OF OLEANDER CIRCLE
Presented by Norm Wray, Senior Engineering Technician

Purpose: Authorize the Public Works Department to issue parking permits to residents in the boundaries of PPD No. 9, which would include a portion of Oleander Circle. The impacted residents would be in the Cantabria Apartment Homes. Associated costs in the amount of \$3,000 will be funded by the Public Works Operations budget (Account No. 11-160105-6240).

Recommended Action: 1) Adopt a resolution creating Preferential Parking District (PPD) No. 9 on a portion of Oleander Circle.

Senior Engineering Technician Wray summarized the staff report noting originally reviewed on August 1, 2019 by Traffic & Transportation Commission (TTC). The TTC recommended (5-0) that the City Council approve this request. The recommendation was on the condition that the petitioners obtain the minimum 2/3 (66.6%).

Staff received a request for a Preferential Parking District (PPD) on Oleander Circle on May 14, 2019. This petition is for the portion of Oleander Circle fronting the Cantabria Apartments (7785 to 7925 Oleander Circle). Oleander Circle is a local residential cul-de-sac street located off of La Palma Avenue, east of Beach Boulevard. The street is approximately 850 ft. long and 32 ft. wide. The street is undivided and allows parking on both sides.

Current City Council policy for establishing a PPD requires a minimum of 2/3 (66.6%) of local residents' support. The petition submitted reveals 72.2% of residents on the street are in favor of a PPD. This meets the policy requirements. When the TTC originally heard this request, the initial petition had only 47% of the residents in support. Several units had signed the petition more than once (only one signature per address is counted), and a number of people had neglected to put their unit numbers on the petition. The TTC recommended that this request be approved only on the condition that the residents were able to re-submit a petition meeting the minimum signature requirements. The residents re-submitted the petition within a week of the TTC meeting, and the revised petition shows the 72.2% signature rate.

City Council policy recommends that a minimum of 75% of the on-street parking be occupied during the peak parking hours. A parking study showed that the peak parking hours are at night, and that typical nighttime demand was about 91.3% of parking spaces occupied, with demand increasing at night.

Additionally, current policy requires that the proposed PPD be a "reasonably self-contained area." In this case, the requested PPD area encompasses both sides of the street, but a portion of the street is adjacent to a commercial building. Staff would not recommend creating a PPD on the entire street because the businesses along the southwestern portion of the street would need to receive parking permits as well. To date, no PPD in Buena Park has been adjacent to anything except residential properties. In this case, staff only recommends a PPD on the portion of the street that is adjacent to the Cantabria Apartments. Everything south of the apartments would remain open parking for everyone, while everything adjacent to the apartments would be permit parking only.

Staff estimates that there are 51 on-street parking spaces available on Oleander Circle at the Cantabria Apartments. Since there are 97 units in the apartment complex, issuing more than one parking permit per unit would be more than the street can provide. For that reason, staffs' recommendation provides for a limit of one parking permit per residence.

Glenn Anderson, Buena Park resident, spoke in opposition to the recommendation of the parking preferential district, recommended that parking permits be issued for all residents of Oleander Circle.

John Martin Delcampo, Buena Park resident, commented about parking issues particularly during summer months and Knott's Berry Farm's Halloween Haunt.

Terry Teel, Buena Park resident, Community Director for Advanced Management Company, spoke in support of staffs' recommendations and commented about problems for residents in the area and the lack of support for adjacent business in addressing parking concerns.

Council Member Swift recommended staff speak with apartment owners and management companies about alternative parking solutions for apartment complexes.

MOTION: Swift
 SECOND: Smith
 AYES: Swift, Smith, Park, Traut, Brown
 NOES: None

MOTION CARRIED to ADOPT the following titled resolution:

RESOLUTION NO.14027

A RESOLUTION OF THE CITY OF BUENA PARK, CALIFORNIA, ESTABLISHING A PREFERENTIAL PARKING DISTRICT ON A PORTION OF OLEANDER CIRCLE

Contracts 70 C-3149

12. PROFESSIONAL SERVICES AGREEMENT WITH PSOMAS FOR THE DESIGN OF THE MT. WATERMAN & MT. WHITNEY WATERLINE PROJECT
 Presented by Francisco Gutierrez, Associate Engineer

Purpose: Authorize the Public Works Department to hire a consultant to provide design services for the replacement of waterlines along Mt. Waterman and Mt. Whitney Drive to address fire flow issues. Associated costs in the amount of \$45,810 will be funded by the Water Enterprise Fund (Account No. 52-9806-396854).

Recommended Action: 1) Approve a Professional Services Agreement with PSOMAS in the amount of \$45,810 for design services for the Mt. Waterman and Mt. Whitney Drive Waterline Project; 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes; and 3) Authorize the City Manager and City Clerk to execute the agreement.

MOTION: Swift
 SECOND: Smith
 AYES: Swift, Smith, Park, Traut, Brown
 NOES: None

MOTION CARRIED to approve the recommended action.

Contracts 70 C-3150 Public Works Proj. 125 PW-880

13. RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND APPROVAL OF CONTRACT WITH ASBESTOS INSTANT RESPONSE, INC. (AIR) FOR DEMOLITION OF EXISTING BUILDING AND IMPROVEMENTS AT 6263-6265 AUTO CENTER DRIVE PROJECT
 Presented by Mina Mikhael, P.E., Assistant City Engineer

Purpose: Authorize the Public Works Department to approve plans and specifications and hire a contractor for the Demolition of Existing Buildings and Improvements at 6263-6265 Auto Center Drive Project. Associated construction costs in the amount of \$102,650 will be funded by the Economic Development Fund (Account No. 12-6240-632110).

Recommended Action: 1) Adopt a resolution approving plans and specifications for the Demolition of Existing Building and Improvements at 6263-6265 Auto Center Drive Project; 2) Reject the lowest bidder (American Wrecking, Inc.); 3) Award a contract to Asbestos Instant Response, Inc. (AIR) in the amount of \$93,150; 4) Authorize contingency funds in the amount of \$9,500 in the same purchase order; and, 5) Authorize the City Manager and the City Clerk to execute the contract.

MOTION: Smith
 SECOND: Park
 AYES: Smith, Park, Swift, Traut, Brown
 NOES: None

APPROVED the recommended action and ADOPT the following titled resolution:

RESOLUTION NO. 14028

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK APPROVING PLANS AND SPECIFICATIONS FOR DEMOLITION OF EXISTING BUILDINGS AND IMPROVEMENTS AT 6263-6265 AUTO CENTER DRIVE PROJECT IN SAID CITY.

PUBLIC HEARING (14)

Block Grants 1913

14. PUBLIC HEARING - COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) DRAFT CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) FOR THE FISCAL YEAR 2018-2019

Presented by: Ruben M. Lopez, Economic Development Administrator

Purpose: Authorize the Economic Development Division to submit the approved, draft CAPER, which evaluates the City's Community Development Block Grant (CDBG) performance for the past fiscal year. The approval and submittal of this report has no fiscal impact.

Recommended Action: 1) Hold a public hearing to review the draft Consolidated Annual Performance and Evaluation Report (CAPER) for the FY 2018-2019; and 2) Approve the submittal of the draft CAPER for the FY 2018-2019 to the Department of Housing and Urban Development (HUD).

Mayor Brown opened the public hearing and inquired if anyone present desired to speak. There being no one desiring to speak, Mayor Brown closed the public hearing.

MOTION: Smith
 SECOND: Swift
 AYES: Smith, Swift, Park, Traut, Brown
 NOES: None

MOTION CARRIED to approve the recommended action.

ORAL COMMUNICATIONS

Mayor Brown re-opened oral communications and announced the public may at this time address the members of the City Council on any matters within the jurisdiction of the City Council.

Del Lampkin, Buena Park resident, spoke regarding concerns of excessive parking, drug & alcohol use, transients in the area and several other incidents in his neighborhood have not been addressed.

MAYOR/CITY COUNCIL REPORTS AND CALENDAR

Council Member Traut reported the following:

- September 13 Buena Terra Office Grand Opening
- September 13 Ribbon Cutting Ceremony, Buena Park High School Football Stadium
- September 14 Young Legislator Program
- September 14 Whitaker Park Community Workshop
- September 16 Raymond Temple School Celebration, New Ducks Hockey Rink
- September 18 Cultural and Fine Arts Commission Meeting
- September 19 San Marino Elementary Pep Rally
- September 19 Special City Council Meeting

Council Member Traut calendared updating parking permit policy to limited inclusion of adjacent apartment residents on 9th Street.

Council Member Swift reported the following:

- September 14 Whitaker Park Community Workshop
- September 14 MOTAL Exhibit Reception, Ehlers Senior Center
- September 21 Memorial Grove Ceremony for Rick Gomez

Council Member Swift calendared discussion about possible ways to add parking on Gramercy Street, North of 9th Street, parking along grass area.

Council Member Park reported the following:

- September 12 Buena Park Collaborative Meeting
- September 13 Ribbon Cutting Ceremony, Buena Park High School Football Stadium
- September 14 MOTAL Exhibit Reception, Ehlers Senior Center
- September 17 Coffee with a Cop, 85 Degrees Bakery
- September 19 FIT Committee Meeting
- September 19 Park and Recreation Commission Meeting
- September 20 Breakfast with Assembly Woman Sharon Quirk-Silva, Stanton

Mayor Pro Tem Smith reported the following:

- September 14 MOTAL Exhibit Reception, Ehlers Senior Center
- September 14 Kings 88 Band
- September 16 Fair Housing Workshop, Ehlers Event Center
- September 18 Sanitation District Ad Hoc Committee Meeting
- September 18 Special Sanitation District Meeting
- September 19 Special City Council Meeting
- September 20 Knott's Scary Farm Reception
- September 21 Memorial Grove Ceremony, Boisseranc Park

Mayor Pro Tem Smith calendared Tree Trimming in parkways, resident notification, and fines to residents.

Mayor Brown reported the following:

- September 11 9-11 Remembrance at Fire Station No. 61
- September 11 Metrolink Safety Awards
- September 12 Metrolink Safety Summit and Expo
- September 13 Metrolink Board Meeting
- September 14 MOTAL Exhibit Reception, Ehlers Senior Center
- September 16 Meeting with Knott's Berry Farm Management
- September 16 Employee Benefit Fair
- September 17 Coffee with a Cop
- September 18 Active Shooter Training
- September 19 Special City Council Meeting
- September 20 Fiends of the Farm, Knott's Berry Farm
- September 21 Memorial Grove Ceremony, Boisseranc Park

Mayor Brown calendared a general review of City Council Policies.

RECESS

Mayor Brown recessed the meeting at 6:20 p.m. and announced the meeting would be reconvened in the City Council Chamber. The meeting was reconvened at 6:37 p.m.

STUDY SESSION (15 - 21) (Reconvene in the Council Chamber)

15. DISCUSS AND PROVIDE DIRECTION REGARDING THE CITY'S ON-STREET DISABLED PARKING POLICY

Presented by: Norm Wray, Senior Engineering Technician

Senior Engineering Technician Wray reported that the City has installed and maintained on-street disabled parking spaces for a number of years. In 2009, an on-street Disabled Parking Policy was approved. Recently, staff received a request for an on-street disabled parking space at 6821 Oregon Street. The application complies with the City's current policy. Staff gave a report to the Traffic & Transportation Commission (TTC), who recommended approval of the request. During the review of the policy for compliance with the current Americans with Disabilities Act (ADA) staff became concerned that installing a new ADA parking space would also require the installation of an ADA-compliant curb ramp. Staff asked that the City Attorney review the current City policy and recommend necessary changes.

In consultation with the City Attorney, staff found that there is case law regarding this specific issue. In *Bassilios v. City of Torrance*, the court found that cities may not have a policy that refuses all requests to install on-street ADA parking spaces; however, the installation of such a space (by painting the curb blue and installing a sign) does not trigger the requirement to install corresponding curb ramps, as such modifications to the existing conditions are insufficient to warrant broader ADA improvements. Given this and other legal developments concerning the ADA, staff recommends reviewing current policy with the City Attorney's Office to ensure policy compliance with current case law and revise the policy to include an option for applicants to sign a "waiver" stating that they understand that, if approved, any new on-street ADA spaces will not include new curb ramps.

If the City Council gives direction to move forward with this option, staff will return with a new Policy Statement to be adopted by City Council during a regular meeting. In addition to this policy question, staff recommends that if the City Council desires to move forward with a change in the policy, that the application requesting a disabled parking space at 6821 Oregon Street be approved under the new policy. The new policy would be finalized in consultation with the City Attorney's Office, and brought back to the City Council at a future meeting for approval.

Following discussion, the City Council agreed to move forward with staff's recommendation.

16. DISCUSS AND PROVIDE DIRECTION REGARDING COMPREHENSIVE STREET REPAIR (SB1) STUDY/CITYWIDE POTHOLE REPAIR BUDGET ESTIMATE

Presented By: Mina Mikhael, P.E., Assistant City Engineer / Doug Brodowski, Operations Manager

Assistant City Engineer Mikhael reported that the City Council recently requested a discussion regarding the Citywide Pothole Repair and Comprehensive Street Repair Study. Specific interest was on the process of targeting potholes for repair and the process of selecting streets for comprehensive improvement projects. Public Works Department has a GIS-based Maintenance Management System (MMS) to track potholes. When a pothole is identified by City staff or called in by the public, an open work order is added to the MMS database system.

The City aims to undergo major street improvement projects in both residential neighborhoods and on major arterials every year. For residential neighborhoods, the City has historically targeted neighborhoods on a rotating schedule of approximately seven years, wherein each neighborhood in the City can expect to receive a slurry seal every seven years and rehabilitation within a 15-year timeframe. Major arterial street improvement projects also take place every year and generally target portions of one or more arterial streets grouped together. All these projects are funded through gas tax, Measure M tax or state, county and federal grants.

All of these roadway improvements depend upon the Pavement Condition Index (PCI), which is tabulated every two years. The City tabulates the PCI as part of the Pavement Management Plan (PMP). This plan is developed by feeding data from street condition surveys into specialized software that analyzes current pavement conditions to generate objective data which is used to determine the preservation technique for the streets.

The City Council received and filed the report.

17. DISCUSS AND PROVIDE DIRECTION REGARDING RICK GOMEZ PARK DESIGN
Presented By: Jim Box, Director of Community Services

Director of Community Services Box reported that in February 2019, the City Council entered into a professional services agreement with David Volz Design to create a master plan for the design of the Rick Gomez Park located at 7501 8th Street. Following a series of community meetings, including the Park and Recreation Commission, and working in cooperation with the Public Works Department, David Volz created a cohesive design and quality park for the residents of all ages and abilities.

The proposed park master plan includes the following elements: an age-appropriate playground, fitness/exercise equipment, small walking trail, baseball-themed climbers, half-basketball court, and picnic shelter with shade canopies, new block wall, ample trees to provide shade, public art, and security lighting throughout park. Next steps will be the draft of a preliminary construction budget, design development, and the construction documents. Construction plans and approvals may require six months, bid and award will require three months, and the construction time frame is estimated to be six to eight months.

Following discussion, the City Council agreed to move forward with staff's recommendation.

18. DISCUSS AND PROVIDE DIRECTION REGARDING PERMANENT ORANGE COUNTY REGISTRAR OF VOTERS BALLOT BOX LOCATIONS IN BUENA PARK
Presented by: Adria M. Jimenez, MMC, City Clerk

City Clerk Jimenez reported that as part of the Voters Choice Act passed in 2016, several voting options will be available in 2020 to enhance the voter experience. Major changes include the addition of more than 200 Vote Centers throughout Orange County, a flexible voting schedule, automatic vote-by-mail ballots for all registered voters, and secure permanent ballot drop-off box locations.

Beginning with the March 3, 2020, California Primary Election, the Orange County Registrar of Voters (OC ROV) is proposing the following voting experience enhancements for Buena Park and Orange County residents:

- 11-day Vote Center
Walter Knott Elementary School
- 4-day Vote Centers the weekend before Election day with extended voting hours
Buena Park Community Center
Buena Park School District Office
Buena Park Mall
- Permanent Ballot Drop Box Locations
The following six locations are being proposed; three of which are proposed on City-owned property:
 - Metrolink Station (City property)
 - Ehlers Event Center (City property)
 - The Municipal Swim Stadium (Peak Park Pool - City property)
 - The Source
 - Buena Park Mall
 - UFCW Stadium (Crescent Ave./Stanton Ave.)

If the City Council is supportive of installing Permanent Ballot Drop Boxes at the three City-owned locations (Metrolink Station, Ehlers Event Center, and Peak Park Pool), the OC ROV is requesting the City enter into the proposed License Agreement. Once the License Agreement is formally approved, the City Clerk will work with the OC ROV and other City staff (Public Works, Community Services) for installation. The City Clerk and the City Attorney have reviewed the License Agreement and do not have any concerns.

Following discussion, the City Council agreed to move forward with staff's recommendation.

19. DISCUSS AND PROVIDE DIRECTION REGARDING THE ORANGE COUNTY LOCAL AGENCY FORMATION COMMISSION (LAFCO) SPHERE OF INFLUENCE FOR THE ANDORA/FAIRHOPE ISLAND AREA

Presented by: Aaron France, Assistant City Manager

Assistant City Manager France reported that the Local Agency Formation Commission (LAFCO) serves the citizens of Orange County by facilitating constructive changes in governmental structure and boundaries through special studies, programs, and actions that resolve intergovernmental issues. Orange County LAFCO (OC LAFCO) achieves this by fostering orderly development and governance, and by promoting the efficient delivery of services.

Earlier this year, at the request of OC LAFCO, staff met with representatives about an unincorporated area near the northwest corner of the City. OC LAFCO refers to this area as the Andora/Fairhope Street Islands ('Island'). The Island is approximately 39 acres and is contained within the sphere of influence of the City of Buena Park. The Island includes approximately 128 single-family detached units, 438 residents, and 237 registered voters, according to the Center for Demographic Research at California State University, Fullerton. The Island is located near the northwest part of the City, adjacent to Coyote Creek. Services to these residents are provided by the County of Orange.

The annexation of the Island by the City could result in several benefits to the residents and the commercial areas related to City service levels and the proximity of City service providers and emergency responders. Staff has only had preliminary discussions with OC LAFCO about a possible annexation. Over the past few months, staff has been studying the impacts on any potential annexation. Public Works staff has researched and evaluated the current infrastructure, service levels for the area. Staff also recommends water and sewer services stay as they are as connection to City services would be extremely high. The streets and sidewalks could be maintained by the City and be absorbed into the Capital Improvements Project (CIP) schedule with typical costs for slurry seal/reconstruction when that time comes. On the police and fire service front, staff believes the impact is not a significant increase given both BPPD and OCFA currently run calls in this area and occasionally service these residents.

City Council discussed property taxes, support for further annexation discussion, residents' reluctance to annex and dissemination of information to residents of that area.

Following discussion, the City Council directed staff to return at a later meeting with additional information from LAFCO.

20. CITY MANAGER REPORT

City Manager Vanderpool reported the following:


- Employee Identification Card Picture Day, Monday, September 23, 2019.
- 2019 Open Enrollment, September 9 – October 3, 2019.

21. COMMISSION/COMMITTEE APPOINTMENTS/REMOVALS

City Clerk Jimenez had no report.

ADJOURNMENT

There being no further business, Mayor Brown adjourned the meeting at 7:40 p.m.



 Mayor

ATTEST:



 City Clerk